



IN THE U.S. PATENT AND TRADEMARK OFFICE

Appn. No.: 10/771,804
Applicants: Samson, et al.
Filing Date: February 4, 2004
Title: Method and apparatus for treating acute myocardial infarction with hypothermic perfusion
Examiner: Patricia M. Bianco
TC/A.U.: 3761
Docket No.: CARDE.63292

Mailed on: November 6, 2006

PROVISIONAL ELECTION

Commissioner of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Restriction Requirement mailed July 5, 2006, applicants elect to prosecute the invention of Group I, apparatus claims 1-25. The invention of Group II, method claim 26, is temporarily withdrawn from prosecution.

Applicants further elect to prosecute species I, drawn to the catheter of FIG 10. Claims 1-6, 8-18 and 20-25 read on species I and the catheter of FIG 10. Claims 7 and 19 are temporarily withdrawn from prosecution.

Applicants reserve the right to submit the nonelected claims or other claims upon the allowance of a generic claim, providing that the submitted claims are made dependent on or otherwise include all of the limitations of an allowed claim. Currently, claims 1-6, 9-18 and 21-25 are generic to all species of the apparatus.

Very respectfully submitted,

James J. Leahy

Reg. No. 35,237



CERTIFICATE OF MAILING

I hereby certify that this document addressed to the Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450, will be deposited with the U.S. Postal Service as first class mail with sufficient postage at Clayton, MO on November 6, 2006.

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Signature